

GIBSON, DUNN & CRUTCHER LLP  
GEORGE A. NICOUD III, SBN 106111  
tnicoud@gibsondunn.com  
555 Mission Street  
San Francisco, CA 94105-0921  
Telephone: 415.393.8200  
Facsimile: 415.393.8306

GIBSON, DUNN & CRUTCHER LLP  
MATTHEW PARROTT, SBN 302731  
mparrott@gibsondunn.com  
3161 Michelson Drive  
Irvine, CA 92612-4412  
Telephone: 949.451.3800  
Facsimile: 949.451.4220

*Attorneys for Defendants NEC TOKIN Corporation and  
NEC TOKIN America, Inc.*

[Additional Counsel Listed on Signature Page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE CAPACITORS ANTITRUST  
LITIGATION

CASE NO. 3:14-cv-03264-JD

THIS DOCUMENT RELATES TO:  
  
DIRECT PURCHASER ACTIONS AND  
INDIRECT PURCHASER ACTIONS

**JOINT STIPULATION AND [PROPOSED]  
ORDER REGARDING EXTENSION OF  
TIME TO FILE SUPPLEMENTAL PAPERS  
IN SUPPORT OF MOTIONS FOR  
PRELIMINARY APPROVAL OF  
SETTLEMENTS [DKT. NOS. 1298 AND  
1305]**

Pursuant to Civil Local Rules 6-2 and 7-12, Indirect Purchaser Plaintiffs (“IPPs”), Direct Purchaser Plaintiffs (“DPPs”), and Defendants Fujitsu Limited, NEC TOKIN Corporation, NEC TOKIN America, Inc., Nitsuko Electronics Corporation, Okaya Electric Industries Co., Ltd., Okaya Electric America, Inc., ROHM Co., Ltd., and ROHM Semiconductor U.S.A., LLC (collectively, “Settling Defendants”) respectfully request that the Court grant the following joint stipulation seeking a one-day extension for the IPPs, DPPs, and Settling Defendants to file supplemental papers relevant to the second hearing on the motions for preliminary approval scheduled for November 10, 2016.

WHEREAS at the October 14, 2016, hearing on DPPs’ motion for preliminary approval of settlements with the Fujitsu, NEC TOKIN, Nitsuko, Okaya, and ROHM defendants [Dkt. No. 1298] and IPPs’ motions for preliminary approval of settlements with the NEC TOKIN, Nitsuko, and Okaya defendants and approval of notice program [Dkt. Nos. 1305, 1306] (collectively, “the motions”), the Court scheduled a second hearing on the motions for November 10, 2016 [Dkt. No. 1348];

WHEREAS at the October 14, 2016, hearing on the motions, the Court ordered that supplemental papers relevant to the hearing be filed one week prior to the hearing, i.e., November 3, 2016 [Dkt. No. 1350 at 20:19–21:8];

WHEREAS counsel for DPPs Joseph R. Saveri is currently in trial and has had limited opportunity to coordinate with counsel for IPPs and Settling Defendants regarding the supplemental papers to be filed with the Court;

WHEREAS counsel for IPPs, DPPs, and Settling Defendants have been working cooperatively and expeditiously to prepare the supplemental papers to be filed with the Court;

WHEREAS counsel for DPPs requested that counsel for IPPs and Settling Defendants stipulate to an additional day to file the supplemental papers with the Court, and counsel for IPPs and Settling Defendants have agreed to such an extension; and

WHEREAS the requested extension will not affect the date of the second hearing on the motions scheduled for November 10, 2016, or any other date set by the Court;

1           **THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by the IPPs, DPPs, and  
2 the Settling Defendants that:

3           1.       Good cause exists for extending by one day the deadline for filing the supplemental  
4 papers relevant to the second hearing on the motions;

5           2.       IPPs, DPPs, and Settling Defendants shall file the supplemental papers relevant to the  
6 second hearing on the motions by Friday, November 4, 2016.

7           **IT IS SO STIPULATED.**  
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1 Dated: November 3, 2016

/s/ Steven N. Williams

2 Joseph W. Cotchett  
3 Steven N. Williams  
4 Adam Zapala  
5 Elizabeth Tran  
6 **Cotchett Pitre & McCarthy LLP**  
7 840 Malcolm Road, Suite 200  
8 Burlingame, CA 94010  
9 Telephone: (650) 697-6000  
Facsimile: (650) 697-0577  
jcotchett@cpmlegal.com  
swilliams@cpmlegal.com  
azapala@cpmlegal.com  
etran@cpmlegal.com  
*Interim Lead Counsel for Indirect Purchaser Plaintiffs*

10 Dated: November 3, 2016

/s/ Joseph R. Saveri

11 Joseph R. Saveri  
12 Andrew M. Purdy  
13 Matthew S. Weiler  
14 **Joseph Saveri Law Firm, Inc.**  
15 555 Montgomery Street, Suite 1210  
16 San Francisco, California 94111  
17 Telephone: (415) 500-6800  
Facsimile: (415) 395-9940  
jsaveri@saverilawfirm.com  
apurdy@saverilawfirm.com  
mweiler@saverilawfirm.com  
jdallal@saverilawfirm.com  
*Interim Lead Counsel for Direct Purchaser Plaintiffs*

1 Dated: November 3, 2016

/s/ George A. Nicoud III

2 George A. Nicoud III  
3 **Gibson, Dunn & Crutcher LLP**  
4 555 Mission Street  
5 San Francisco, CA 94105  
6 Telephone: (415) 393-8200  
7 Facsimile: (415) 374-8473  
8 Email: TNicoud@gibsondunn.com

9 Matthew Parrott  
10 **Gibson, Dunn & Crutcher LLP**  
11 3161 Michelson Drive  
12 Irvine, CA 92612-4412  
13 Telephone: (949) 451-3800  
14 Facsimile: (949) 451-4220  
15 mparrott@gibsondunn.com  
16 *Attorneys for Defendants NEC TOKIN Corporation*  
17 *and NEC TOKIN America, Inc.*

11 Dated: November 3, 2016

/s/ Paul T. Friedman

12 Paul T. Friedman  
13 **Morrison & Foerster LLP**  
14 415 Market Street  
15 San Francisco, CA 94105  
16 Telephone: (415) 268-7444  
17 Email: pfriedman@mfo.com  
18 *Attorney for Defendant Fujitsu Limited*

17 Dated: November 3, 2016

/s/ Belinda S Lee

18 Belinda S Lee  
19 Ashley M. Bauer  
20 **Latham & Watkins LLP**  
21 505 Montgomery Street, Suite 2000  
22 San Francisco, CA 94111  
23 Telephone: (415) 395-8851  
24 Email: belinda.lee@lw.com  
25 *Attorneys for Defendant Nitsuko Electronics*  
26 *Corporation*

1 Dated: November 3, 2016

/s/ Darrell Prescott

2 Darrell Prescott  
3 Catherine Stillman  
4 **Baker & McKenzie**  
5 452 Fifth Avenue  
6 New York, NY 10018  
7 Telephone: (212) 626-4476  
8 Facsimile: (212) 310-1637  
9 Email: Darrell.Prescott@bakermckenzie.com  
10 Email: Catherine.Stillman@bakermckenzie.com

11 Meghan E. Hausler  
12 **Baker & McKenzie**  
13 2300 Trammell Crow Center  
14 2001 Ross Avenue  
15 Dallas, TX 75201  
16 Telephone: (214) 965-7219  
17 Facsimile: (214) 978-3099  
18 Email: Meghan.Hausler@bakermckenzie.com

19 Colin H. Murray  
20 **Baker & McKenzie**  
21 Two Embarcadero Center, 11th Floor  
22 San Francisco, CA 94111  
23 Telephone: (415) 591-3244  
24 Facsimile: (415) 576-3099  
25 Email: Colin.Murray@bakermckenzie.com  
26 *Attorneys for Defendants Okaya Electric Industries Co.,*  
27 *Ltd. and Okaya Electric America, Inc.*

17 Dated: November 3, 2016

/s/ Michael F. Tubach

18 Michael F. Tubach  
19 Brian Y. Chang  
20 **O'Melveny & Myers LLP**  
21 Two Embarcadero Center, 28th Floor  
22 San Francisco, CA 94111-3305  
23 Telephone: (415) 984-8700  
24 Facsimile: (415) 984-8701  
25 Email: mtubach@omm.com  
26 Email: bchang@omm.com

27 Kenneth R. O'Rourke  
28 **O'Melveny & Myers LLP**  
400 South Hope Street, 18th Floor  
Los Angeles, CA 90071  
Telephone: (213) 430-6000  
Facsimile: (213) 430-6407  
Email: korourke@omm.com  
*Attorneys for Defendants ROHM Co., Ltd.,*  
*and ROHM Semiconductor U.S.A., LLC*

Pursuant to Civil Local Rule 5.1(i)(3), I attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: November 3, 2016

/s/ George A. Nicoud III

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_

Hon. James Donato  
United States District Judge

**CERTIFICATE OF SERVICE**

I, Robin McBain, declare as follows:

I am employed in the County of San Francisco, State of California, I am over the age of eighteen years and am not a party to this action; my business address is 555 Mission Street, Suite 3000, San Francisco, CA 94105-0921, in said County and State. On November 3, 2016, I served the following document(s):

**JOINT STIPULATION AND [PROPOSED] ORDER REGARDING  
EXTENSION OF TIME TO FILE SUPPLEMENTAL PAPERS IN SUPPORT  
OF MOTIONS FOR PRELIMINARY APPROVAL OF SETTLEMENTS [DKT.  
NOS. 1298 AND 1305]**

on the parties stated below, by the following means of service. **(NOTE: ALL OTHER PARTIES WERE SERVED VIA ELECTRONIC TRANSFER TO THE CM/ECF SYSTEM):**

**VIA U.S. MAIL**

Elizabeth E. Collins  
Collins & Scanlon LLP  
50 Public Sq.  
Suite 3300  
Cleveland, OH 44113  
Ph: (216) 696-0022

Steven A. Reiss  
Weil Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153-0119  
Ph: (212) 310-8000

Kenji Kasahara  
Representative Director of Toshin Kogyo Co.,  
LTD  
Tsukas Bldg. 2-15-4, Uchikanda  
Chiyoda-Ku  
Tokyo, Japan  
Ph: (81) +3 3256-3781

Benjamin J. Eichel  
Pepper Hamilton, LLP  
3000 Two Logan Square  
18th and Arch Streets  
Philadelphia, PA 19103  
Ph: (215) 981-4629

- ☒ **BY UNITED STATES MAIL:** I placed a true copy in a sealed envelope or package addressed to the persons as indicated above, on the above-mentioned date, and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited with the U.S. Postal Service in the ordinary course of business in a sealed envelope with postage fully prepaid. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing set forth in this declaration.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at San Francisco, California.

- ☐ **BY MESSENGER SERVICE:** I placed a true copy in a sealed envelope or package addressed to the persons at the addresses listed above and providing them to a professional messenger service for service for delivery before 5:00 p.m. on the above-mentioned date. *(A declaration by the messenger must accompany this Certificate of Service.)*



- ☐ **BY OVERNIGHT DELIVERY:** On the above-mentioned date, I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses shown above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier with delivery fees paid or provided for.
- ☐ **BY LEXISNEXIS:** I provided the document(s) listed above electronically to LexisNexis through the LexisNexis File & Serve website pursuant to the order authorizing electronic service and the instructions on that website.
- ☒ **BY ELECTRONIC TRANSFER TO THE CM/ECF SYSTEM:** On this date, I electronically uploaded a true and correct copy in Adobe “pdf” format the above-listed document(s) to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon receipt of the Notice of Electronic Filing (“NEF”) by the registered CM/ECF users.
- ☐ **BY ELECTRONIC SERVICE:** On the above-mentioned date at \_\_\_\_\_ [a.m./p.m.] , based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses as shown above.
- ☒ I am employed in the office of Trey Nicoud, a member of the bar of this court, and that the foregoing document(s) was(were) printed on recycled paper.
- ☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- ☒ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2016.

/s/ Robin McBain